

8-5-04

DFW 1632

Attorney's Docket No.: 17083-004002/1228B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Glen R. Nemerow et al.                      Art Unit : 1632  
Serial No. : 09/903,327                                      Examiner : Anne Marie Sabrina Wehbe  
Filed : July 10, 2001                                        Cust. No. : 20985  
Conf. No. : 7374  
Title : BIFUNCTIONAL MOLECULES AND VECTORS COMPLEXED THEREWITH  
FOR TARGETED GENE DELIVERY

**Mail Stop Amendment**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

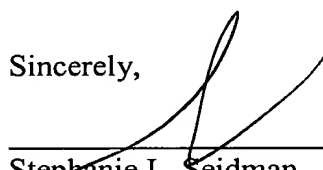
Dear Sir:

Transmitted herewith are a Supplemental Information Disclosure Statement, Forms PTO-1449 (2 pages) and cited references for filing in connection with the above-identified application. Because this Supplemental Information Disclosure Statement is filed prior to receipt of a First Office Action on the merits of the Request for Continued Examination in the above-referenced application, no fee is due. However, should it be determined that a fee for filing these papers is required, the Commissioner is authorized to charge Deposit Account No. 06-1050, as stated below:



The Commissioner is hereby authorized to charge any fees that may be due in connection with this paper or with this application during its entire pendency to Deposit Account No. 06-1050. A duplicate of this sheet is enclosed.

Sincerely,

  
\_\_\_\_\_  
Stephanie L. Seidman  
Reg. No. 33,779

Attorney Docket No. 17083-004002/1228B

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CERTIFICATE OF MAILING BY "EXPRESS MAIL"  
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Date of Deposit August 4, 2004  
I hereby certify that this paper is being deposited with the United States Postal  
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Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.

  
\_\_\_\_\_  
Stephanie L. Seidman



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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN**  
**ACCORDANCE WITH 37 C.F.R. §§1.97-1.98**

Dear Sir:

This Supplemental Information Disclosure Statement is filed prior to receipt of a First Office Action on the merits of the Request for Continued Examination of the above-captioned application. Thus, a fee for filing this statement should not be due. If, however, it is determined that a fee is due, any fees that may be due in connection with filing this paper may be charged to Deposit Account No. 06-1050.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Supplemental Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§1.97-1.98. Form PTO-1449 (2 pages) and copies of the cited references are provided herewith in connection with the above-captioned application.

CERTIFICATE OF MAILING BY "EXPRESS MAIL"  
"Express Mail" Mailing Label Number EV 399295553  
Date of Deposit August 4, 2004  
I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.

Stephanie L. Seidman

Applicant : Glen R. Nemerow et al.  
Serial No. : 09/903,327  
Filed : July 10, 2001  
Supplemental Information Disclosure Statement  
Page : 2 of 2

Attorney's Docket No.: 17083-004002/1228B

The documents listed on the Form PTO-1449 are in the English language. Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed item is necessary.

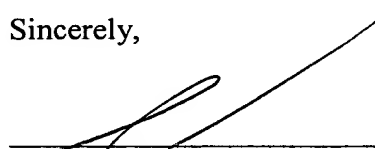
Further to the last Supplemental Information Disclosure Statement filed on October 7, 2003, applicant also makes known to the Examiner the following pending U.S. Application that has one or more common inventors and/or commonly owned:

<u>U.S.S.N.</u>	<u>Filing Date</u>	<u>Docket No. (Previous)</u>
60/535,199	01/09/04	17083-009P01 (22908-P1233)

Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references is effective as prior art against the subject application. In accordance with 37 C.F.R. 1.97(h), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. 1.56(b) exists.

Applicant respectfully requests that the Examiner review the foregoing references and make them of record in the file history of the above-captioned application.

Sincerely,

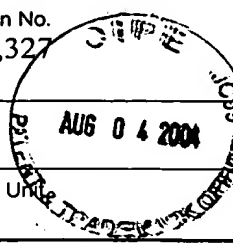


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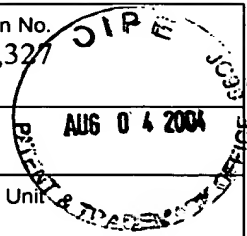
Substitute Form PTO-1449 (Modified)		U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 17083-004002/1228B	Application No. 09/903,327
List of Patents and Publications for Applicant's Information Disclosure Statement  (37 CFR §1.98(b))			Applicant Glen R. Nemerow et al.	
			Filing Date July 10, 2001	Group Art Unit 1632



Examiner Initial	Desig. ID	Document
	AT	Abraham, N.G. <i>et al.</i> , "Adenovirus-mediated heme oxygenase-1 gene transfer into rabbit ocular tissues", <i>Investigative Ophthalmology &amp; Visual Science</i> 36: 2202-2210 (1995)
	AU	Arnberg, N. <i>et al.</i> , "Fiber genes of adenoviruses with tropism for the eye and genital tract", <i>J. Virol.</i> 227: 239-244 (1997)
	AV	Bennett, J. <i>et al.</i> , "Adenovirus-mediated delivery of rhodopsin-promoted bci-2 results in a delay in photoreceptor cell death in the rd/rd mouse", <i>Gene Therapy</i> 5:1156-1164, (1998)
	AW	Caravokyri, C. and K.N. Leppard, "Constitutive episomal expression of polypeptide IX (pIX) in a 293-based cell line complements the deficiency of pIX mutant adenovirus type 5", <i>J. Virology</i> 69(11): 6627-6633 (1995)
	AX	Fender, P. <i>et al.</i> , "Antigenic sites on the receptor-binding domain of human adenovirus type 2 fiber", <i>Virology</i> 214: 110-117 (1995)
	AY	Gouras, P. <i>et al.</i> , "Reporter gene expression in cones in transgenic mice carrying bovine rhodopsin promoter/lacZ transgenes", <i>Vis. Neurosci.</i> 11: 1227-1231 (1994)
	AZ	Huang, S. <i>et al.</i> , "A Single Amino Acid in the Adenovirus Type 37 Fiber Confers Binding to Human Conjunctival Cells", <i>J. of Virol.</i> 73(4): 2798-2802 (1999)
	BA	Hodges, I. and S.T. Crooke, "Inhibition of splicing of wild-type and mutated luciferase-adenovirus pre-mRNAs by antisense oligonucleotides", <i>Molec. Pharmacology</i> 48(5): 905-918 (1995)
	BB	Kaufman, R.J., "Identification of the components necessary for adenovirus translational control and their utilization in cDNA expression vectors," <i>Proc. Natl. Acad. Sci. U.S.A.</i> 82: 689-693 (1985)
	BC	Kumar-Singh, R. and D.B. Farber "Encapsidated adenovirus mini-chromosome-mediated delivery of genes to the retina: application to the rescue of photoreceptor degeneration," <i>Human Molecular Genetics</i> 7(12): 1893-1900 (1998)
	BD	Parks, R.J. <i>et al.</i> , "A helper-dependent adenovirus vector system: Removal of helper virus by Cre-mediated excision of the viral packaging signal", <i>Proc. Natl. Acad. Sci.</i> 93:13565-13570, (1996)
	BE	Reichel, M.B. <i>et al.</i> , "Immune responses limit adenovirally mediated gene expression in the adult mouse eye", <i>Gene Therapy</i> 5(8): 1038-1046 (1998)
	BF	Smith, T.A.G. <i>et al.</i> , "Adenovirus serotype 5 fiber shaft influences in vivo gene transfer in mice", <i>Human Gene Therapy</i> , 14: 777-787 (2003)
	BG	Tsubota, K. <i>et al.</i> , "Adenovirus-mediated gene transfer to the ocular surface epithelium", <i>Exp. Eye Res.</i> 67: 531-538 (1998)
	BH	3rd Annual Meeting of the American Society of Gene Therapy, 1 June 2000, publishers website release on 5/3/00 12:00pm, <a href="http://www.asgt.org/archives/am00/presaddress.html">http://www.asgt.org/archives/am00/presaddress.html</a>

Examiner Signature	Date Considered
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

Substitute Form PTO-1449 (Modified)  <b>List of Patents and Publications for Applicant's Information Disclosure Statement</b>  (37 CFR §1.98(b))	U.S. Department of Commerce Patent and Trademark Office		Attorney's Docket No. 17083-004002/1228B	Application No. 09/903,327
	Applicant Glen R. Nemerow et al.			
	Filing Date July 10, 2001		Group Art Unit 1632	

**U.S. Patent Documents**

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	AA	5,559,099	09/24/96	Wickham <i>et al.</i>	514	44	09/08/94
	AB	5,770,442	06/36/98	Wickham <i>et al.</i>	435	20.1	02/21/95
	AC	5,871,727	02/16/99	Curiel	424	93.2	12/06/96
	AD	6,281,010	08/28/01	Gao <i>et al.</i>	435	325	10/27/95
	AE	6,410,011	06/25/02	Branellec <i>et al.</i>	424	93.2	06/20/96
	AF	2002-193327 A1	12/19/02	Nemerow, <i>et al.</i>	514	44	05/01/01
	AG	2003-0157688 A1	08/21/03	Von Seggern <i>et al.</i>	435	235.1	01/14/00
	AH	2003-0215948 A1	11/20/03	Kaleko <i>et al.</i>	435	456	03/27/03
	AI	2004-0002060 A1	01/01/04	Kaleko <i>et al.</i>	435	5	01/24/03

**Foreign Patent Documents or Published Foreign Patent Applications**

Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No
	AJ	1054034	11/22/00	EP				
	AK	1083231	03/14/01	EP				
	AL	96/13276	05/09/96	PCT				
	AM	98/48027	10/29/98	PCT				
	AN	00/03029	01/20/00	PCT				
	AO	00/42208	04/20/00	PCT				
	AP	00/73478	12/07/00	PCT				
	AQ	01/83729	11/08/01	PCT				
	AR	02/04522	01/17/02	PCT				
	AS	03/062400	07/31/03	PCT A2				

**Other Documents (include Author, Title, Date, and Place of Publication)**

Examiner Signature	Date Considered
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	